

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA)

v.)

JASON STEVEN MOE;)
JUSTIN RAY PETERSON,)
a/k/a LITTLE J.;)
MICHAEL WAYNE JACOBSON,)
a/k/a BULLHEAD;)
BOBBI JO YANEZ, a/k/a BOBBI JO)
SISTAD;)
JASON GLEN MARINUCCI;)
SEAN ANTHONY OGLE;)
JORY MYRON IWEN;)
TODD LELAND VISE;)
TRACIE LYNNE WALBERG;)
JAY CARL WEIST;)
RICHARD ARDELL HEYEN; and)
MARK ALAN MESSERSCHMIDT)

TPJ in docs 20-CR-73 (ECT)

SUPERSEDING
INDICTMENT

Case No. 3:08-cr-106

Violation: 21 U.S.C. § 846; 18 U.S.C.
§§ 922(g)(3) and 924(a)(2)

COUNT ONE

Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance

The Grand Jury Charges:

From on or about January 1, 2007, and continuously until the date of this

Indictment, in the Districts of North Dakota, Minnesota, and elsewhere,

JASON STEVEN MOE;
JUSTIN RAY PETERSON, a/k/a LITTLE J.;
MICHAEL WAYNE JACOBSON, a/k/a BULLHEAD;
BOBBI JO YANEZ, a/k/a BOBBI JO SISTAD;
JASON GLEN MARINUCCI;
SEAN ANTHONY OGLE;



JORY MYRON IWEN;
TODD LELAND VISE;
TRACIE LYNNE WALBERG;
JAY CARL WEIST;
RICHARD ARDELL HEYEN; and
MARK ALAN MESSERSCHMIDT

did knowingly and intentionally combine, conspire, confederate, and agree together and with others, both known and unknown to the grand jury, to possess with intent to distribute and distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was part of said conspiracy that the defendants and others would and did possess with intent to distribute and did distribute in excess of 500 grams of a mixture and substance containing a detectable amount of methamphetamine within the states of North Dakota, Minnesota, and elsewhere.
2. It was further a part of said conspiracy that the defendants and others would and did attempt to conceal their activities.
3. It was further a part of said conspiracy that the defendants and others would and did use telecommunication facilities.

4. It was further a part of said conspiracy that the defendants and others would and did use United States currency in their drug transactions;

In violation of Title 21, United States Code, Section 846; Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT TWO

**Possession of a Firearm and Ammunition by an Unlawful User
of a Controlled Substance**

The Grand Jury Further Charges:

On or about August 14, 2008, in the District of North Dakota and elsewhere,

MICHAEL WAYNE JACOBSON, a/k/a BULLHEAD,

then being an unlawful user of and addicted to a controlled substance as defined in

21 U.S.C. § 802, knowingly possessed in and affecting commerce a firearm and

ammunition, specifically, a Winchester, Model 1906, .22 caliber rifle, serial

number 554335, and in excess of 250 rounds of various caliber ammunition;

In violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

A TRUE BILL:

/s/ _____
Foreperson

/s/ _____
DREW H. WRIGLEY
United States Attorney

BMS:aap

United States District Court District of North Dakota

UNITED STATES OF AMERICA

v.

Sean Anthony Ogle**JUDGMENT IN A CRIMINAL CASE**Case Number: **3:08-CR-106-06**

USM Number: 05404-059

John Goff

Defendant's Attorney

THE DEFENDANT:

was found guilty by a jury on January 21, 2010 as to count ONE (1) of the Superseding Indictment after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count, which involve the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 U.S.C. § 846	Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance	10/03/08	1

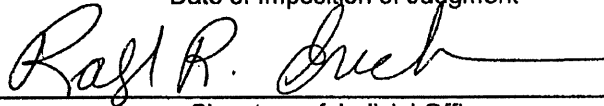
The defendant is sentenced as provided in pages 1 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100, for count 1 of the Superseding Indictment, which shall be due immediately. Said special assessment shall be made to the Clerk, U.S. District Court, Quentin N. Burdick U.S. Courthouse, 655 1st Avenue North, Suite 130, Fargo, North Dakota 58102.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

April 28, 2010

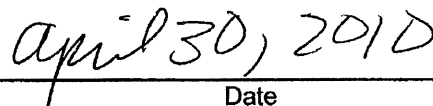
Date of Imposition of Judgment



Signature of Judicial Officer

RALPH R. ERICKSON, Chief U.S. District Judge

Name & Title of Judicial Officer



Date

CASE NUMBER: 3:08-CR-106-06
 DEFENDANT: Sean Anthony Ogle

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 240 months with credit for time served.

The court makes the following recommendations to the Bureau of Prisons:

1. That the defendant be permitted to participate in the 500 hour Residential Drug Abuse Treatment Program (RDAP) of the Bureau of Prisons, and that he be afforded any benefit from successful completion of this program.
2. That the defendant serve his sentence in the least secure facility in Minnesota, as he has family in the Minneapolis area.

SPECIAL FINDINGS BY THE COURT

Defendant is a person with a history of mental illness. He refused to cooperate with an evaluation to determine competency and fitness to stand trial before trial was commenced. Defendant also refused to cooperate with the presentence investigative officer for preparation of a presentence investigation report after trial. Defendant's refusal to cooperate appears to be the result of his mental illness and should not be viewed as an attempt to refuse to cooperate with the terms or conditions of his incarceration.

Defendant is a non-violent person. He does not appear to pose a danger to himself or others. His mental illness renders him child-like and impacts his decision-making ability. As a result, the defendant is at a high risk to be victimized or unduly influenced in a prison setting.

For these reasons, the Court believes the defendant should be placed in a less secure facility in order to protect the defendant and reduce his risk of victimization.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
 Deputy U.S. Marshal

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 DEFENDANT: Sean Anthony Ogle

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 10 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

The defendant has been convicted of an offense listed in the DNA Analysis Backlog Elimination Act of 2000 or the Justice for All Act of 2004. These acts require the defendant to cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties page of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 06/05) Sheet 3 - Supervised Release

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DEFENDANT: Sean Anthony Ogle

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SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall submit his person, residence, workplace, vehicle, computer and/or possessions to a search conducted by a United States Probation Officer based upon evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation, additional criminal charges and arrest. The defendant shall notify any other residents that the premises may be subject to searches subject to this condition.
2. The defendant shall totally abstain from the use of alcohol and totally abstain from illegal drugs or the possession of a controlled substance as defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.
3. The defendant shall submit to random drug and alcohol testing as directed by the supervising probation officer.
4. The defendant shall disclose his financial situation at the request of the supervising probation officer.
5. The defendant shall participate in a chemical dependency treatment program as approved by the supervising probation officer.
6. The defendant will participate in a mental health program, or any other mental health related program to address any mental health issues, which may include the taking of prescribed psychotropic medications, as directed by his supervising probation officer.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed)

Defendant_____
Date_____
U.S. Probation Officer/Designated Witness_____
Date

Executive Grant of Clemency

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

AFTER CONSIDERING THE APPLICATIONS for executive clemency of each of the following named persons, I hereby commute the total sentence of imprisonment each of the following named persons is now serving to expire on **January 17, 2019**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make immediately available to each named person the Residential Drug Abuse Program (RDAP). Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Turner Ashe, Jr.	Reg. No. 07029-028
Terrance Baker	Reg. No. 39947-039
Anthony Billings	Reg. No. 04727-087
Latasha Sherri Butler	Reg. No. 31909-177
John Choate	Reg. No. 15584-074
Lawrence Stafford Davis	Reg. No. 14630-171
Robin Marie Davis	Reg. No. 05445-084
Donald Wayne Dowling	Reg. No. 27903-180
Billy Ray Fairley, Sr.	Reg. No. 21780-057
Dujuan Farrow	Reg. No. 38825-083
Kenneth Wayne Gragg	Reg. No. 11905-058
Antonio Merlin Harmon	Reg. No. 18279-171
Julius Shaner Hayes	Reg. No. 15813-047
Tracy Jackson	Reg. No. 14385-035
Randy R. Jefferson	Reg. No. 07380-025
Dorian Jordan	Reg. No. 35608-044
Safarra Kimmons	Reg. No. 11601-042
Johnny Marton Lott, aka Johnny Martin Lott	Reg. No. 14238-064
Mirackle McGlown, aka Miracle McGlown	Reg. No. 28828-039
Steven McKelvey	Reg. No. 96728-071
Silas Junior Mobley	Reg. No. 24002-058
Doyle Ray Morgan	Reg. No. 16892-058
Aubrey Valdez Moton	Reg. No. 16478-171
Frank Vincent Okiyama	Reg. No. 18913-148
Michael Shavon Pate	Reg. No. 05484-017
Zeteral Perkins	Reg. No. 92246-080
Gethsemane Pita	Reg. No. 92104-022
Michael Thomas Potts	Reg. No. 19147-057
Kenneth Louis Reid	Reg. No. 19450-058

Jerrold Richardson	Reg. No. 32056-160
Michael Sain, aka Ronald Jones	Reg. No. 21872-009
Daryl Joseph Shaw	Reg. No. 15049-026
Kandis Karlotta Shipman	Reg. No. 34147-044
Jeffery Wayne Shondel	Reg. No. 07422-030
Johnnie Stewart	Reg. No. 05775-090
Duffy Lynn Striker	Reg. No. 24104-001
Carlton Christopher Sullivan	Reg. No. 38155-037
Tyreese R. Taylor	Reg. No. 06212-090
Dorminic Thomas	Reg. No. 18773-076
Dwight A. Thomas	Reg. No. 20652-045
Michael Shawn Thomas	Reg. No. 06629-073
Preston Bernard Thomas	Reg. No. 39578-018
Timothy Michael Walker	Reg. No. 27300-180
Christopher E. Webster	Reg. No. 14880-026
Terrance Wellons	Reg. No. 53390-004
Richard Arthur Wright	Reg. No. 13741-112
William Charles Wright	Reg. No. 14456-035

I hereby further commute the total sentence of imprisonment each of the following named persons is now serving to a term of **180 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make available to each named person the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before each person's sentence expires. Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Adrian Antoine Campbell, aka Adrian Antonio Campbell	Reg. No. 48415-019
Leonard Hoskins	Reg. No. 08671-028

I hereby further commute the total sentence of imprisonment each of the following named persons is now serving to a term of **188 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make available to each named person the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before each person's sentence expires. Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Damon Burkhalter	Reg. No. 37227-177
Alberto Chahia	Reg. No. 09550-059
Deante Drake	Reg. No. 05730-087
German Gallegos	Reg. No. 33128-180
Kenneth Jay Putensen	Reg. No. 01792-029
Kelly Joe Walker	Reg. No. 03582-029

I hereby further commute the total sentence of imprisonment each of the following named persons is now serving to a term of **210 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make available to each named person the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before each person's sentence expires. Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Ernest Gonzalez	Reg. No. 41745-179
Tony Johnson	Reg. No. 07918-028
Clemith L. McCray	Reg. No. 08980-026
Dante L. Williams	Reg. No. 39840-083

I hereby commute the total sentence of imprisonment each of the following named persons is now serving to a term of **240 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make immediately available to each named person the Residential Drug Abuse Program (RDAP). Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Christopher Almaguer	Reg. No. 32079-177
Kim Davis Beckstrom	Reg. No. 25147-008
William Brown	Reg. No. 10430-032
Calvin Caver	Reg. No. 54496-060
Ernest Milton Glover	Reg. No. 15706-016
Emma Jean Harmon	Reg. No. 41910-018
Timmy Nathan Johnson	Reg. No. 35692-044
Timothy Terell Johnson	Reg. No. 08200-030
Johnny William Lane	Reg. No. 15117-026
Delvin McKinney	Reg. No. 30720-018
Jessie L. Traylor	Reg. No. 14863-026

I hereby commute the total sentence of imprisonment each of the following named persons is now serving to a term of **262 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make immediately available to each named person the Residential Drug Abuse Program (RDAP). Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Calvin Biggs	Reg. No. 17770-424
Lamell T. Jones	Reg. No. 17588-045
Jose Ramiro Pena	Reg. No. 11378-085
Raul Portillo	Reg. No. 62920-080
Jermaine Ali Wilson	Reg. No. 11566-021

I hereby further commute the total sentence of imprisonment each of the following named persons is now serving to a term of **300 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make available to each named person the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before each person's sentence expires. Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Jeffrey Matthew Jeanetta
Gary Thomas
Mark J. Thornton

Reg. No. 90324-071
Reg. No. 21154-086
Reg. No. 44257-061

I hereby further commute the total sentence of imprisonment each of the following named persons is now serving to a term of **324 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make available to each named person the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before each person's sentence expires. Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Macheo Hill
David Vaught

Reg. No. 28133-177
Reg. No. 39137-177

I hereby commute the total sentence of imprisonment each of the following named persons is now serving to a term of **360 months' imprisonment**, leaving intact and in effect for each named person the term of supervised release imposed by the court with all its conditions and all other components of each respective sentence. I also direct the Bureau of Prisons to make immediately available to each named person the Residential Drug Abuse Program (RDAP). Further, I condition the grant of commutation to each of the following named persons on that person enrolling in the RDAP program by written agreement, as evidenced by that person's signing, within 14 days of that person's receipt of a certified copy of this document, a receipt verifying his or her acceptance of the commutation granted with all of its conditions, including enrollment in RDAP:

Wayne Allen Bledsoe, Jr.
Jeffery Garrett
Wesley Hodge
Myron Dejuan Orr

Reg. No. 60866-080
Reg. No. 07154-028
Reg. No. 16760-056
Reg. No. 08678-030

I hereby further commute the total sentence of imprisonment imposed upon **Pablo Abrugar Abulencia**, Reg. No. 72294-083, to a term of **205 months' imprisonment**, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Pablo Abrugar Abulencia**, Reg. No. 72294-083, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Pablo Abrugar Abulencia**, Reg. No. 72294-083, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Clarence Rex Burnell**, Reg. No. 10325-091, to expire on **January 17, 2019**. I also remit the unpaid balance of the \$5,000 fine imposed by the court that may remain when his term of incarceration has expired. I leave intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Clarence Rex Burnell**, Reg. No. 10325-091, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Clarence Rex Burnell**, Reg. No. 10325-091, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **James Toves Cabaccang**, Reg. No. 09186-112, to a term of **292 months' imprisonment**, leaving intact and in effect all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **James Toves Cabaccang**, Reg. No. 09186-112, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **James Toves Cabaccang**, Reg. No. 09186-112, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Melvin Couch**, Reg. No. 06705-032, to a term of **180 months' imprisonment**. I also remit the unpaid balance of the \$10,000 forfeiture obligation imposed by the court that may remain when his term of incarceration has expired. I leave intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Melvin Couch**, Reg. No. 06705-032, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Melvin Couch**, Reg. No. 06705-032, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Quincy Dennis**, Reg. No. 02797-061, to a term of **360 months' imprisonment**. I also remit the unpaid balance of the \$30,000 fine imposed by the court that may remain when his term of incarceration has expired. I leave intact and in effect the two-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Quincy Dennis**, Reg. No. 02797-061, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Quincy Dennis**, Reg. No. 02797-061, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Stacey Lane Fisher**, Reg. No. 15796-084, to a term of **168 months' imprisonment**, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Stacey Lane Fisher**, Reg. No. 15796-084, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Stacey Lane Fisher**, Reg. No. 15796-084, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Fontelle Ricardo Groves, aka Fontele Ricardo Groves**, Reg. No. 15526-056, to a term of **188 months' imprisonment**. I also remit the unpaid balance of the \$2,100 fine imposed by the court that may remain when his term of incarceration has expired. I leave intact and in effect the five-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Fontelle Ricardo Groves, aka Fontele Ricardo Groves**, Reg. No. 15526-056, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Fontelle Ricardo Groves, aka Fontele Ricardo Groves**, Reg. No. 15526-056, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Douglas Eugene Harms**, Reg. No. 10037-029, to a term of **196 months' imprisonment**, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Douglas Eugene Harms**, Reg. No. 10037-029, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Douglas Eugene Harms**, Reg. No. 10037-029, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Christopher Lamont Hill**, Reg. No. 32675-037, to a term of **264 months' imprisonment**, leaving intact and in effect the eight-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Christopher Lamont Hill**, Reg. No. 32675-037, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Christopher Lamont Hill**, Reg. No. 32675-037, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Rodney Lamont Love**, Reg. No. 17313-075, to a term of **322 months' imprisonment**, leaving intact and in effect the 15-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Rodney Lamont Love**, Reg. No. 17313-075, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Rodney Lamont Love**, Reg. No. 17313-075, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Damand Matthews**, Reg. No. 40159-424, to a term of **240 months' imprisonment**. I also remit the unpaid balance of the \$1,000 fine imposed by the court that may remain when his term of incarceration has expired. I leave intact and in effect the five-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Damand Matthews**, Reg. No. 40159-424, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Damand Matthews**, Reg. No. 40159-424, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Sean Anthony Ogle**, Reg. No. 05404-059, to a term of **168 months' imprisonment**, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Sean Anthony Ogle**, Reg. No. 05404-059, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Sean Anthony Ogle**, Reg. No. 05404-059, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Curtis Daryle Tinsley**, Reg. No. 23016-057, to a term of **271 months' imprisonment**, leaving intact and in effect the five-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Curtis Daryle Tinsley**, Reg. No. 23016-057, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Curtis Daryle Tinsley**, Reg. No. 23016-057, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Timothy Juan Washington**, Reg. No. 60805-019, to a term of **120 months' imprisonment**, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Timothy Juan Washington**, Reg. No. 60805-019, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Timothy Juan Washington**, Reg. No. 60805-019, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Gregory Antonio Webber**, Reg. No. 83952-180, to a term of **188 months' imprisonment**. I also remit the unpaid balance of the \$1,500 fine that may remain when his term of incarceration has expired. I leave intact and in effect the five-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Gregory Antonio Webber**, Reg. No. 83952-180, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Gregory Antonio Webber**, Reg. No. 83952-180, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Brian Lee Wells**, Reg. No. 11222-030, to a term of **240 months' imprisonment**. I also remit a portion of the restitution obligation imposed by the court, namely the remaining balance of the \$7,449.50 owed to the Drug Enforcement Administration. I leave intact and in effect the \$3,000 restitution obligation imposed by the court that is owed to a private citizen. I also leave intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Brian Lee Wells**, Reg. No. 11222-030, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Brian Lee Wells**, Reg. No. 11222-030, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

I hereby further commute the total sentence of imprisonment imposed upon **Robert James Pearson White**, Reg. No. 23441-171, to a term of **240 months' imprisonment**. I also remit the unpaid balance of the \$200,000 forfeiture obligation that may remain when his term of incarceration has expired. I leave intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said **Robert James Pearson White**, Reg. No. 23441-171, the Residential Drug Abuse Program, or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said **Robert James Pearson White**, Reg. No. 23441-171, on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

THIS GRANT SHALL become effective as to each of the above-named persons only upon the delivery and presentment of a certified copy of this document to that person and upon that person's acceptance of the conditional terms of the grant. I further direct that once the receipt has been signed by the grant recipient, the Bureau of Prisons shall immediately forward an **ELECTRONIC COPY** of the receipt to the Office of the Pardon Attorney, which will deliver that copy to appropriate personnel in the Bureau of Prisons Designation and Sentence Computation Center, who will recalculate the projected release dates of each respective recipient. Failure of a person to sign the receipt and accept the conditional terms of the commutation grant will render the grant of commutation null and void only as to the person who rejected the grant, and not to all persons named herein.

I HEREBY DESIGNATE, direct, and empower the Pardon Attorney, as my representative, to deliver to the Bureau of Prisons a certified copy of the signed warrant as evidence of my action in order to carry into effect the terms of these grants of clemency, and to deliver a certified copy of the signed warrant to each of the persons to whom I have granted clemency as evidence of my action.

IN TESTIMONY WHEREOF I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.



*Done at the City of Washington this
Seventeenth day of January in the year of
our Lord Two thousand and seventeen and
of the Independence of the United States the
two hundred and forty-first.*

A handwritten signature in black ink, which appears to be "Barack Obama", written over a circular line.

BARACK OBAMA
President

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CLOSED,M2255

**U.S. District Court
District of North Dakota (Eastern)
CRIMINAL DOCKET FOR CASE #: 3:08-cr-00106-RRE-6**

Case title: USA v. Moe et al
Related Case: 3:11-cv-00045-RRE
Magistrate judge case number: 3:08-mj-00107-KKK

Date Filed: 09/23/2008
Date Terminated: 04/30/2010

Assigned to: Chief Judge Ralph R.
Erickson

Appeals court case number: 13-2960
USCA-8

Defendant (6)

Sean Anthony Ogle
TERMINATED: 04/30/2010

represented by **John T. Goff**
MONTGOMERY, GOFF & BULLIS
PO BOX 9199
FARGO, ND 58106
701-281-8001
Email: john@bullislaw.com
TERMINATED: 04/30/2010
Designation: CJA Appointment

Richard Henderson
FEDERAL PUBLIC DEFENDER
OFFICE
FEDERAL SQUARE
112 ROBERTS ST N STE 200
FARGO, ND 58102
Email: beth_schwartz@fd.org
TERMINATED: 05/06/2014
Designation: Public Defender

Pending Counts

21 USC 846 Conspiracy to Possess with
Intent to Distribute and Distribute a
Controlled Substance
(1)

Disposition

240 months imprisonment, 10 years
supervised release with standard and
special conditions, \$100 special
assessment, remand to the United States
Marshal. 1/17/2017 - Executive Grant
of Clemency from President Barack

Obama as to Sean Anthony Ogle to commute the total sentence of imprisonment to a term of 168 months imprisonment, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said Sean Anthony Ogle, the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said Sean Anthony Ogle on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

21 USC 846 Knowingly and intentionally combine, conspire, confederate, and agree together with others to distribute and did possess with intent to distribute methamphetamine, a Schedule II controlled substance(21:846=CD.F)

Disposition**Plaintiff**

USA

represented by **Brett M. Shasky**
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 655 1 AVE N STE 250
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TERMINATED: 12/17/2008
Designation: USA

Date Filed	#	Docket Text
10/02/2008	<u>1</u>	COMPLAINT as to Sean Anthony Ogle (1). (lc) [3:08-mj-00107-KKK] (Entered: 10/03/2008)
10/03/2008		Arrest of Sean Anthony Ogle in Minnesota. (lh) [3:08-mj-00107-KKK] (Entered: 10/21/2008)
10/17/2008	<u>3</u>	Rule 5(c)(3) Documents Received as to Sean Anthony Ogle (Attachments: # <u>1</u> Minutes from Initial Appearance 10/3/08, # <u>2</u> Order of Temporary Detention, # <u>3</u> Minutes from Removal/Detention Hearing, # <u>4</u> Notice of Appearance, # <u>5</u> Commitment to Another District)(lh) [3:08-mj-00107-KKK] (Entered: 10/20/2008)
10/21/2008		Case unsealed as to Sean Anthony Ogle (ks) [3:08-mj-00107-KKK] (Entered: 10/21/2008)
10/21/2008	4	NOTICE OF HEARING as to Sean Anthony Ogle: Preliminary Examination set for 10/21/2008 at 03:30 PM in Bismarck VCR to Fargo before Magistrate Judge Charles S. Miller Jr. (ks) [3:08-mj-00107-KKK] (Entered: 10/21/2008)

10/21/2008	<u>5</u>	Arrest Warrant Returned Executed on 10/3/08 as to Sean Anthony Ogle. (jo) [3:08-mj-00107-KKK] (Entered: 10/21/2008)
10/21/2008	<u>6</u>	Minute Entry for proceedings held before Magistrate Judge Charles S. Miller, Jr: Preliminary Examination as to Sean Anthony Ogle held on 10/21/2008; hearing continued to October 22, 2008 (Court Reporter SE) (cs)(Minutes amended to correct scrivener error: date of continued hearing changed from October 10 to October 22) [3:08-mj-00107-KKK] (Entered: 10/21/2008)
10/21/2008	<u>7</u>	CJA 20 as to Sean Anthony Ogle: Appointment of Attorney John T. Goff for Sean Anthony Ogle by Magistrate Judge Charles S. Miller, Jr (cs) [3:08-mj-00107-KKK] (Entered: 10/21/2008)
10/21/2008	<u>8</u>	Commitment Order Executed on 10/15/08 by delivering Sean Anthony Ogle to Stutsman County, ND (lh) [3:08-mj-00107-KKK] (Entered: 10/22/2008)
10/22/2008	<u>9</u>	Minute Entry for proceedings held before Magistrate Judge Charles S. Miller, Jr: Preliminary Examination (continuation) as to Sean Anthony Ogle held on 10/22/2008 (Court Reporter SE) (ks) [3:08-mj-00107-KKK] (Entered: 10/22/2008)
10/22/2008	<u>10</u>	Rule 5(c)(3) Documents Received from the Dist. of MN as to Sean Anthony Ogle (Attachments: # <u>1</u> Copy of docket sheet from Dist. of MN, # <u>2</u> copy of Order of Detention dated 10/16/08 by Mag. Judge Jeffrey J. Keyes)(jo) [3:08-mj-00107-KKK] (Entered: 10/23/2008)
10/29/2008	<u>11</u>	STIPULATED DISCOVERY ORDER AND PROTECTIVE ORDER by Judge Ralph R. Erickson as to Sean Anthony Ogle (KMS) [3:08-mj-00107-KKK] (Entered: 10/29/2008)
11/06/2008	<u>59</u>	Redacted Superseding Indictment as to Jason Steven Moe, Justin Ray Peterson, Michael Wayne Jacobson, Bobbi Jo Yanez, Jason Glen Marinucci, Sean Anthony Ogle, Jory Myron Iwen, Todd Leland Vise, Tracie Lynne Walberg, Jay Carl Weist, Richard Ardell Heyen, Mark Alan Messerschmidt. (sg) (Entered: 11/13/2008)
11/06/2008	<u>61</u>	REQUEST FOR WARRANT upon filing of superseding indictment as to Sean Anthony Ogle (sg) (Entered: 11/13/2008)
11/17/2008	<u>85</u>	INFORMATION TO ESTABLISH PRIOR CONVICTION as to Sean Anthony Ogle (Attachments: # <u>1</u> Exhibit 1 - pleadings from US District Court Case No. C3-89-20-07)(Shasky, Brett) Modified on 11/20/2008 to add description to exhibit (lh). (Entered: 11/17/2008)
11/19/2008	95	NOTICE OF HEARING as to Sean Anthony Ogle: Arraignment set for 11/26/2008 at 09:30 AM in Fargo Courtroom 2 before Magistrate Judge Karen K. Klein. (NJM) (Entered: 11/19/2008)
11/19/2008	<u>97</u>	Certificate of Service by USA as to Sean Anthony Ogle re <u>85</u> Information to Establish Prior Conviction (Shasky, Brett) (Entered: 11/19/2008)
11/20/2008		DOCKET CORRECTION re: <u>85</u> Information to Establish Prior Conviction. Clerk's office added descriptions to attachment. (lh) (Entered: 11/20/2008)

11/21/2008		Case unsealed as to Sean Anthony Ogle (lc) (Entered: 11/23/2008)
11/26/2008	<u>109</u>	Minute Entry for proceedings held before Magistrate Judge Karen K. Klein:Arraignment as to Sean Anthony Ogle (6) Count 1 of the Superseding Indictment held on 11/26/2008, Not Guilty Plea entered by Sean Anthony Ogle (6) Count 1. Dft. remains detained pending trial; (Court Reporter BC) (jo) (Entered: 11/26/2008)
11/26/2008	<u>113</u>	CRIMINAL PRETRIAL ORDER AND JURY TRIAL NOTICE as to Sean Anthony Ogle by Magistrate Judge Karen K. Klein Jury Trial set for 1/5/2009 at 09:30 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. Pretrial Conference set for 1/5/2009 at 09:00 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. Pretrial Motion Deadline set for 12/12/2008. (jo)(trial est. 10 days) (Entered: 11/26/2008)
12/12/2008	<u>123</u>	MOTION to Suppress by Sean Anthony Ogle. (Goff, John) (Entered: 12/12/2008)
12/12/2008	<u>124</u>	BRIEF by Sean Anthony Ogle <u>123</u> MOTION to Suppress filed by Sean Anthony Ogle (Goff, John) (Entered: 12/12/2008)
12/15/2008	<u>125</u>	MOTION to Continue by Sean Anthony Ogle. (Goff, John) (Entered: 12/15/2008)
12/15/2008	<u>126</u>	AFFIDAVIT re <u>125</u> MOTION to Continue filed by Sean Anthony Ogle (Goff, John) (Entered: 12/15/2008)
12/15/2008	129	MOTION to Withdraw as Attorney (alternative motion to motion for continuance) by John T. Goff as to Sean Anthony Ogle. Document filed at <u>125</u> . (lh) (Entered: 12/16/2008)
12/16/2008		DOCKET CORRECTION re: <u>125</u> Motion to Continue. Multiple relief document filed as one relief. Re-filed by clerk's office at #129. (lh) (Entered: 12/16/2008)
12/17/2008	130	NOTICE OF HEARING as to Jason Steven Moe, Michael Wayne Jacobson, Jason Glen Marinucci, Sean Anthony Ogle, Jory Myron Iwen, Todd Leland Vise, Jay Carl Weist, Mark Alan Messerschmidt: Status Conference set for Thursday, 12/18/2008 at 10:00 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. (sg) (Entered: 12/17/2008)
12/18/2008	<u>142</u>	Certificate of Service by Sean Anthony Ogle re <u>124</u> Brief in Support of Motion to Suppress (Goff, John) (Entered: 12/18/2008)
12/18/2008	<u>144</u>	Minute Entry for proceedings held before Judge Ralph R. Erickson:Status Conference as to Michael Wayne Jacobson, Jason Glen Marinucci, Sean Anthony Ogle, Jory Myron Iwen, Todd Leland Vise, Tracie Lynne Walberg, Jay Carl Weist, Mark Alan Messerschmidt held on 12/18/2008 (Court Reporter KK) (sg) (Entered: 12/18/2008)
12/18/2008	145	NOTICE OF HEARING ON MOTION as to Sean Anthony Ogle <u>123</u> MOTION to Suppress : Motion Hearing set for Friday, 1/23/2009 at 1:30 PM in Fargo Courtroom 1 before Judge Ralph R. Erickson. (sg) (Entered: 12/18/2008)

		12/18/2008)
12/29/2008	<u>149</u>	ORDER by Judge Ralph R. Erickson Continuing Trial. Jury Trial set for 2/17/2009 at 09:30 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson; Pretrial Conference set for 2/17/2009 at 09:00 AM before Judge Ralph R. Erickson. (previously set for 1/5/09) (SH) Modified on 12/29/2008 to add text (lf). (Entered: 12/29/2008)
01/05/2009	152	ORDER (TEXT ONLY) by Judge Ralph R. Erickson finding as moot 129 alternative Motion to Withdraw as Attorney for Sean Anthony Ogle (6) since motion to continue the trial was granted. (SH) (Entered: 01/05/2009)
01/20/2009	<u>172</u>	RESPONSE to Motion by USA as to Sean Anthony Ogle re <u>123</u> MOTION to Suppress <i>BRIEF IN OPPOSITION TO MOTION TO SUPPRESS</i> (Shasky, Brett) (Entered: 01/20/2009)
01/22/2009	<u>174</u>	REPLY TO RESPONSE to Motion by Sean Anthony Ogle re <u>123</u> MOTION to Suppress (Goff, John) (Entered: 01/22/2009)
01/23/2009	<u>175</u>	Minute Entry for proceedings held before Judge Ralph R. Erickson: Motion Hearing as to Sean Anthony Ogle held on 1/23/2009 re <u>123</u> MOTION to Suppress filed by Sean Anthony Ogle - Court takes motion under advisement (Court Reporter KK) (sg) (Entered: 01/26/2009)
01/23/2009	176	Motion Taken Under Advisement as to Sean Anthony Ogle re <u>123</u> MOTION to Suppress (sg) (Entered: 01/26/2009)
02/02/2009	<u>182</u>	ORDER by Judge Ralph R. Erickson granting <u>123</u> Motion to Suppress as to Sean Anthony Ogle (6) (SH) (Entered: 02/02/2009)
02/12/2009	<u>197</u>	ORDER TO CONTINUE - Ends of Justice as to Jason Steven Moe, Jason Glen Marinucci, Sean Anthony Ogle, and Tracie Lynne Walberg by Judge Ralph R. Erickson. Trial is joined with other co-defendant and continued until April 6, 2009, in Courtroom 1, Fargo, North Dakota before the Honorable Ralph R. Erickson (previously set for 2/17/2009). Pretrial conference is at 9:00 a.m. and jury selection begins at 9:30 a.m. on April 6, 2009. (SH) (Entered: 02/12/2009)
02/12/2009	201	NOTICE OF HEARING per Order at <u>197</u> as to Jason Steven Moe, Jason Glen Marinucci, Sean Anthony Ogle, Tracie Lynne Walberg: Pretrial Conference REset for 4/6/2009 at 09:00 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. Jury Trial REset for 4/6/2009 at 09:30 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. (previously set for 2/17/09) (lh) (Entered: 02/12/2009)
03/16/2009	<u>234</u>	DOCKET ANNOTATION re: Inadvertent Disclosure of Presentence Investigation Report. (kmk) (Entered: 03/16/2009)
04/01/2009	<u>243</u>	ORDER TO CONTINUE - Ends of Justice by Judge Ralph R. Erickson: Trial set for April 6, 2009 as to Sean Anthony Ogle, Tracie Lynne Walberg, Richard Ardell Heyen is canceled. Time excluded from 4/1/2009 until further order of the Court. (kmk) (Entered: 04/01/2009)

04/01/2009		Pretrial Conference and Jury Trial set for April 6, 2009, as to Sean Anthony Ogle, Tracie Lynne Walberg, Richard Ardell Heyen are canceled. (kmk) (Entered: 04/01/2009)
04/13/2009	<u>252</u>	MOTION for Leave to File Under Seal by USA as to Jason Steven Moe, Justin Ray Peterson, Michael Wayne Jacobson, Bobbi Jo Yanez, Jason Glen Marinucci, Sean Anthony Ogle, Jory Myron Iwen, Todd Leland Vise, Tracie Lynne Walberg, Jay Carl Weist, Richard Ardell Heyen, Mark Alan Messerschmidt. (Attachments: # <u>1</u> Proposed Sealed Motion to Consolidate) (Shasky, Brett) (Entered: 04/13/2009)
04/14/2009	<u>253</u>	ORDER (TEXT ONLY) by Judge Ralph R. Erickson granting <u>252</u> Motion for Leave to File Under Seal as to Jason Steven Moe (1), Justin Ray Peterson (2), Michael Wayne Jacobson (3), Bobbi Jo Yanez (4), Jason Glen Marinucci (5), Sean Anthony Ogle (6), Jory Myron Iwen (7), Todd Leland Vise (8), Tracie Lynne Walberg (9), Jay Carl Weist (10), Richard Ardell Heyen (11), Mark Alan Messerschmidt (12). The United States shall promptly file the motion under seal. (SH) (Entered: 04/14/2009)
04/14/2009	<u>254</u>	SEALED MOTION by USA as to Jason Steven Moe, Justin Ray Peterson, Michael Wayne Jacobson, Bobbi Jo Yanez, Jason Glen Marinucci, Sean Anthony Ogle, Jory Myron Iwen, Todd Leland Vise, Tracie Lynne Walberg, Jay Carl Weist, Richard Ardell Heyen, Mark Alan Messerschmidt. (Shasky, Brett) (Entered: 04/14/2009)
04/16/2009	<u>256</u>	ORDER granting <u>254</u> Sealed Motion as to Jason Steven Moe (1), Justin Ray Peterson (2), Michael Wayne Jacobson (3), Bobbi Jo Yanez (4), Jason Glen Marinucci (5), Sean Anthony Ogle (6), Jory Myron Iwen (7), Todd Leland Vise (8), Tracie Lynne Walberg (9), Jay Carl Weist (10), Richard Ardell Heyen (11), and Mark Alan Messerschmidt (12) and CONTINUING TRIAL - ENDS OF JUSTICE for Bobbi Jo Yanez (4), Sean Anthony Ogle (6), Tracie Lynne Walberg (9), and Richard Ardell Heyen (11) until June 29, 2009, before Judge Ralph R. Erickson in Courtroom 1, Fargo, North Dakota. The Pretrial Conference begins at 9:00 a.m. with jury selection to follow at 9:30 a.m. (SH) (Entered: 04/16/2009)
06/16/2009	<u>299</u>	MOTION for Psychiatric Exam by Sean Anthony Ogle. (Goff, John) (Entered: 06/16/2009)
06/16/2009	<u>300</u>	MEMORANDUM in Support by Sean Anthony Ogle re <u>299</u> MOTION for Psychiatric Exam (Goff, John) (Entered: 06/16/2009)
06/17/2009	<u>301</u>	NOTICE OF HEARING ON MOTION as to Sean Anthony Ogle <u>299</u> MOTION for Psychiatric Exam: Motion Hearing set for Thursday, 6/18/2009 at 10:00 AM before Judge Ralph R. Erickson. (sg) (Entered: 06/17/2009)
06/18/2009	<u>306</u>	Minute Entry for proceedings held before Judge Ralph R. Erickson: as to Sean Anthony Ogle held on 6/18/2009 re <u>299</u> MOTION for Psychiatric Exam filed by Sean Anthony Ogle (Court Reporter BC) (td) (Entered: 06/18/2009)
06/18/2009	<u>307</u>	Proposed Jury Instructions by USA as to Sean Anthony Ogle (Shasky, Brett) (Entered: 06/18/2009)

06/22/2009	<u>308</u>	Certificate of Service by USA as to Sean Anthony Ogle re <u>307</u> Proposed Jury Instructions (Shasky, Brett) (Entered: 06/22/2009)
06/22/2009	<u>309</u>	*WRONG EVENT SELECTED* NOTICE OF INTENTION TO USE RULE 404(b) EVIDENCE by USA as to Sean Anthony Ogle (Shasky, Brett) Modified on 6/23/2009 to restrict access; clerk's office will re-file using correct event (lh). (Entered: 06/22/2009)
06/22/2009	313	MOTION for Writ of Habeas Corpus ad testificandum by USA as to Sean Anthony Ogle. (lh) (Entered: 06/23/2009)
06/22/2009	314	ORDER (TEXT ONLY) by Magistrate Judge Karen K. Klein granting 313 Motion for Writ of Habeas Corpus ad testificandum as to Sean Anthony Ogle (6) (lh) (Entered: 06/23/2009)
06/22/2009	<u>315</u>	Writ of Habeas Corpus ad Testificandum Issued as to Robert Gutz for July 6, 2009 in case as to Sean Anthony Ogle (2 certified copies to USM) (lh) (Entered: 06/23/2009)
06/22/2009	<u>319</u>	NOTICE of Intent to Use Rule 404(b) Evidence by USA as to Sean Anthony Ogle (lh) (Entered: 06/23/2009)
06/23/2009		DOCKET CORRECTION re: 310 Motion for Writ of Habeas Corpus ad prosequendum. Wrong event selected; will be re-filed as Motion for Writ of Habeas Corpus ad testificandum. (lh) (Entered: 06/23/2009)
06/23/2009	<u>317</u>	*WRONG EVENT SELECTED* NOTICE UNDER FED. R. EVID. 902(11) by USA as to Sean Anthony Ogle (Shasky, Brett) Modified on 6/29/2009 to restrict access; clerk's office will re-file (lh). (Entered: 06/23/2009)
06/23/2009	<u>318</u>	*WRONG EVENT SELECTED* NOTICE UNDER FED. R. EVID. 902(11) by USA as to Sean Anthony Ogle (Shasky, Brett) Modified on 6/29/2009 to restrict access; clerk's office will re-file (lh). (Entered: 06/23/2009)
06/23/2009		DOCKET CORRECTION re: <u>309</u> Notice. Wrong event selected; re-filed as Notice of Intent to Use Evidence at <u>319</u> . (lh) (Entered: 06/23/2009)
06/23/2009	<u>320</u>	*WRONG EVENT SELECTED* NOTICE UNDER FED. R. EVID. 902(11) by USA as to Sean Anthony Ogle (Shasky, Brett) Modified on 6/29/2009 to restrict access; clerk's office will re-file (lh). (Entered: 06/23/2009)
06/23/2009	<u>331</u>	NOTICE of Intent to Use Evidence under Fed. R. Evid. 902(11) by USA as to Sean Anthony Ogle (lh) (Entered: 06/29/2009)
06/23/2009	<u>332</u>	NOTICE of Intent to Use Evidence under Fed. R. Evid. 902(11) by USA as to Sean Anthony Ogle (lh) (Entered: 06/29/2009)
06/23/2009	<u>333</u>	NOTICE of Intent to Use Evidence under Fed. R. Evid. 902(11) by USA as to Sean Anthony Ogle (lh) (Entered: 06/29/2009)
06/24/2009	<u>321</u>	NOTICE OF EXPERT WITNESS UNDER RULE 16(G) by USA as to Sean Anthony Ogle (Shasky, Brett) (Entered: 06/24/2009)

06/25/2009	<u>326</u>	MOTION for Psychiatric Exam by Sean Anthony Ogle. (Goff, John) (Entered: 06/25/2009)
06/25/2009	<u>327</u>	NOTICE OF HEARING ON MOTION as to Sean Anthony Ogle <u>326</u> MOTION for Psychiatric Exam: Motion Hearing set for Monday, 6/29/2009 at 8:45 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. (sg) (Entered: 06/25/2009)
06/26/2009	<u>328</u>	MOTION for Hearing <i>UNITED STATES' REQUEST FOR STATUS CONFERENCE</i> by USA as to Sean Anthony Ogle. (Shasky, Brett) (Entered: 06/26/2009)
06/26/2009	<u>329</u>	RESPONSE to Motion by Sean Anthony Ogle re <u>328</u> MOTION for Hearing <i>UNITED STATES' REQUEST FOR STATUS CONFERENCE</i> (Goff, John) (Entered: 06/26/2009)
06/26/2009	<u>330</u>	WITNESS LIST by USA as to Sean Anthony Ogle (Shasky, Brett) (Entered: 06/26/2009)
06/29/2009		DOCKET CORRECTION re: <u>317</u> , <u>318</u> , <u>320</u> Notice (Other). Wrong event selected; re-filed each as Notice of Intent to Use Evidence at docket numbers <u>331</u> , <u>332</u> , <u>333</u> . (lh) Modified on 6/29/2009 to correct docket number to 320 (lh). (Entered: 06/29/2009)
06/29/2009	<u>338</u>	Minute Entry for proceedings held before Judge Ralph R. Erickson: Motion Hearing/Pretrial Conference as to Sean Anthony Ogle held on 6/29/2009 re <u>326</u> MOTION for Psychiatric Exam filed by Sean Anthony Ogle (Court Reporter KK) (sg) (Entered: 06/30/2009)
06/30/2009	<u>337</u>	ORDER granting <u>326</u> Motion for Psychiatric Exam as to Sean Anthony Ogle by Judge Ralph R. Erickson. (SH) (Entered: 06/30/2009)
07/06/2009	<u>342</u>	AMENDED ORDER for psychiatric examination of Sean Ogle by Judge Ralph R. Erickson. Order amended to allow BOP to use a "non-federal" medical facility for the exam. (SH) (Entered: 07/06/2009)
10/27/2009	<u>382</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Status Conference set for Thursday, 10/29/2009 at 11:00 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson. (sg) (Entered: 10/27/2009)
10/27/2009	<u>383</u>	Psychiatric Report Received (Sealed) as to Sean Anthony Ogle (sg) (Entered: 10/27/2009)
10/29/2009	<u>385</u>	ORDER FINDING DEFENDANT COMPETENT TO STAND TRIAL AND SETTING NEW TRIAL DATE as to Sean Anthony Ogle by Judge Ralph R. Erickson. Defendant Sean Ogle's trial is continued until January 12, 2010, at 9:00 a.m. Time is excluded under the Speedy Trial Act from 06/30/2009 until 10/27/2009, which is the period Defendant was ordered to undergo a competency examination. The time from 10/27/09 to 01/12/2010 is excluded under the Speedy Trial Act in the interest of justice. (SH) (Entered: 10/29/2009)

10/29/2009		Set/Reset Trial Date as to Sean Anthony Ogle: Pretrial Conference set for 1/12/2010 at 09:00 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson (previously set for 06/29/2009). Jury Trial set for 1/12/2010 at 09:30 AM in Fargo Courtroom 1 before Judge Ralph R. Erickson (previously set for 06/29/2009). (SH) (Entered: 10/29/2009)
10/29/2009	<u>387</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Status Conference as to Sean Anthony Ogle held on 10/29/2009 (Court Reporter BC) (sg) (Entered: 11/05/2009)
12/28/2009	<u>411</u>	NOTICE <i>of and Repentance of My Sins</i> by Sean Anthony Ogle (Goff, John) (Entered: 12/28/2009)
12/28/2009	<u>412</u>	NOTICE <i>of and Rescission of Signature for Cause on Indictment</i> by Sean Anthony Ogle (Goff, John) Modified on 12/29/2009 to correct spelling error (lh). (Entered: 12/28/2009)
12/28/2009	<u>413</u>	MOTION Request for Court Record by Sean Anthony Ogle. (Goff, John) (Entered: 12/28/2009)
12/29/2009	414	MOTION for Writ of Habeas Corpus ad testificandum for Dante Giovanni Schwarting by USA as to Michael Wayne Jacobson and Sean Anthony Ogle. (lf) Modified on 12/30/2009 to edit text (lh). (Entered: 12/29/2009)
12/29/2009	415	ORDER (TEXT ONLY) by Magistrate Judge Karen K. Klein granting 414 Motion for Writ of Habeas Corpus ad testificandum as to Michael Wayne Jacobson (3) and Sean Anthony Ogle (6). (lf) (Entered: 12/29/2009)
12/29/2009	<u>416</u>	Writ of Habeas Corpus ad Testificandum Issued as to Dante Giovanni Schwarting for January 12, 2010 at 8:30 a.m. in case as to Michael Wayne Jacobson and Sean Anthony Ogle (2 certified copies to USM) (lf) (Entered: 12/29/2009)
01/05/2010	<u>425</u>	NOTICE <i>Notice of Dishonor</i> by Sean Anthony Ogle (Goff, John) (Entered: 01/05/2010)
01/05/2010	<u>426</u>	NOTICE <i>Non-Negotiable Notice of Acceptance</i> by Sean Anthony Ogle (Goff, John) (Entered: 01/05/2010)
01/05/2010	427	ORDER (TEXT ONLY) by Chief Judge Ralph R. Erickson denying <u>413</u> Motion for "a copy of the record of the court" as to Sean Anthony Ogle. The Court is unable to discern what Defendant is seeking. Further, Defendant has court-appointed counsel, who has access to the court record. (SH) (Entered: 01/05/2010)
01/05/2010	<u>428</u>	Proposed Jury Instructions by USA as to Michael Wayne Jacobson, Sean Anthony Ogle (Chase, Nicholas) (Entered: 01/05/2010)
01/11/2010	<u>433</u>	NOTICE <i>of Dishonor re: Rescission of Signature</i> by Sean Anthony Ogle (Goff, John) (Entered: 01/11/2010)
01/12/2010	<u>438</u>	WITNESS LIST by USA as to Michael Wayne Jacobson, Sean Anthony Ogle (Chase, Nicholas) (Entered: 01/12/2010)

01/12/2010	<u>443</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Pretrial Conference as to Michael Wayne Jacobson and Sean Anthony Ogle held on 1/12/2010 (Court Reporter KK) (sg) (Entered: 01/13/2010)
01/13/2010	<u>446</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Jury Selection and Jury Trial Day 1 as to Sean Anthony Ogle held on 1/13/2010 as to Sean Anthony Ogle (Court Reporter KK) (sg) (Entered: 01/14/2010)
01/13/2010	<u>447</u>	Preliminary Jury Instructions as to Sean Anthony Ogle (sg) (Entered: 01/14/2010)
01/13/2010	<u>448</u>	SEALED DOCUMENT - Letter to the Court from Lynda L. Stone (defendant Ogle's sister) (sg) (Entered: 01/14/2010)
01/14/2010	<u>449</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Second Day Jury Trial as to Sean Anthony Ogle held on 1/14/2010 (Court Reporter KK) (sg) (Entered: 01/15/2010)
01/15/2010	<u>450</u>	NOTICE OF FILING OF PARTIAL TRANSCRIPT of Preliminary Hearing dated 10/21/08 (se) (Entered: 01/15/2010)
01/15/2010	<u>451</u>	PARTIAL TRANSCRIPT of Preliminary Hearing as to Sean Anthony Ogle held on 10/21/08 before Judge Miller. Court Reporter/Transcriber Sandie Ehrmantraut, Telephone number 701-530-2337. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/5/2010. Redacted Transcript Deadline set for 2/16/2010. Release of Transcript Restriction set for 4/15/2010. (se) (Entered: 01/15/2010)
01/15/2010	<u>452</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Third Day Jury Trial as to Sean Anthony Ogle held on 1/15/2010 (Court Reporter KK) (sg) (Entered: 01/19/2010)
01/19/2010	<u>454</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Fourth Day of Jury Trial as to Sean Anthony Ogle held on 1/19/2010 (Court Reporter KK) (sg) (Entered: 01/20/2010)
01/19/2010	<u>456</u>	NOTICE of Dishonor filed by Sean Anthony Ogle (sg) (Entered: 01/20/2010)
01/19/2010	<u>457</u>	NOTICE of Acceptance filed by Sean Anthony Ogle (sg) (Entered: 01/20/2010)
01/20/2010	<u>458</u>	Final Jury Instructions as to Sean Anthony Ogle (sg) (Entered: 01/20/2010)
01/20/2010	<u>460</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Fifth Day Jury Trial as to Sean Anthony Ogle held on 1/20/2010 (Court Reporter KK) (Attachments: # <u>1</u> Note #1 from Jury Foreperson) (sg) (Entered: 01/21/2010)
01/21/2010	<u>459</u>	ORDER ON ADMISSIBILITY OF CO-CONSPIRATOR STATEMENTS as to Sean Anthony Ogle by Chief Judge Ralph R. Erickson. (SH) (Entered: 01/21/2010)

01/21/2010	<u>461</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Sixth Day of Jury Trial (deliberation and verdict only) as to Sean Anthony Ogle held on 1/21/2010 (Court Reporter KK) (Attachments: # <u>1</u> Juror Note #2 from Jury Foreperson) # <u>2</u> Exhibit List of exhibits offered at trial, # <u>3</u> Witness List (witnesses that testified at trial)) (sg). (Entered: 01/21/2010)
01/21/2010	<u>462</u>	JURY VERDICT as to Sean Anthony Ogle (6) Guilty on Count 1. (sg) (Entered: 01/21/2010)
01/21/2010	<u>463</u>	REDACTED JURY VERDICT - GUILTY verdict (Count 1) as to Sean Anthony Ogle (sg) (Entered: 01/21/2010)
01/22/2010	<u>465</u>	RECEIPT for Return of sensitive trial exhibits as to Sean Anthony Ogle (sg) (Entered: 01/22/2010)
01/22/2010	<u>466</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Sentencing set for Thursday, 4/1/2010 at 9:45 AM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson. (sg) (Entered: 01/22/2010)
03/08/2010	<u>511</u>	NOTICE OF FILING OF TRANSCRIPT (kk) (Entered: 03/08/2010)
03/08/2010	<u>512</u>	TRANSCRIPT OF PROCEEDINGS (JURY TRIAL CLOSING SUMMATIONS) as to Sean Anthony Ogle, held on January 20, 2010, before Judge Ralph R. Erickson. Court Reporter/Transcriber Kelly A. Kroke, Telephone number 701-297-7000. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/29/2010. Redacted Transcript Deadline set for 4/8/2010. Release of Transcript Restriction set for 6/7/2010. (kk) (Entered: 03/08/2010)
03/10/2010	<u>514</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Sentencing REset to Monday, 4/26/2010 at 1:30 PM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (previously set for 4/1/10)(sg) (Entered: 03/10/2010)
03/24/2010	<u>517</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Sentencing REset to Wednesday, 4/28/2010 at 1:30 PM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (previously set for 3/26/10)(sg) (Entered: 03/24/2010)
04/13/2010	<u>524</u>	LETTERS RE: SENTENCING as to Sean Anthony Ogle (Roby, Linda) (Entered: 04/13/2010)
04/14/2010	<u>525</u>	PRESENTENCE INVESTIGATION REPORT as to Sean Anthony Ogle (Roby, Linda) (Entered: 04/14/2010)
04/28/2010	<u>528</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Sentencing as to Sean Anthony Ogle held on 4/28/2010 (Court Reporter CP (CATS Reporting)) (sg) (Entered: 05/03/2010)
04/30/2010	<u>529</u>	JUDGMENT by Chief Judge Ralph R. Erickson as to Sean Anthony Ogle (6), Count 1: 240 months imprisonment, 10 years supervised release with standard and special conditions, \$100 special assessment, remand to the United States Marshal by Chief Judge Ralph R. Erickson (sg) (Entered: 05/03/2010)

05/05/2010	<u>530</u>	NOTICE <i>Non Negotiable Notice of Acceptance as to PSI</i> by Sean Anthony Ogle (Goff, John) (Entered: 05/05/2010)
05/05/2010	<u>531</u>	NOTICE <i>Non Negotiable Notice of Acceptance as to Right of Appeal</i> by Sean Anthony Ogle (Goff, John) (Entered: 05/05/2010)
06/22/2010		DOCKET CORRECTION re: 539 Sentencing Memorandum filed by defendant Michael Wayne Jacobson (-03). Clerk's Office added description to exhibits 3-11; Also, document has Northeastern Venue, while the case should read Southeastern Venue; (jo) Modified on 9/24/2010 to add defendant's name to docket entry. Docket correction was accidentally filed in all defendants' cases. (lc) (Entered: 06/22/2010)
09/24/2010	<u>564</u>	MOTION for Leave to Appeal filed in pro se status by Sean Anthony Ogle. (Attachments: # <u>1</u> Newspaper Article, # <u>2</u> Mailing Envelope)(lc) (Entered: 09/24/2010)
09/29/2010	<u>565</u>	ORDER by Chief Judge Ralph R. Erickson denying <u>564</u> Motion for Leave to Appeal and finding moot motion for leave to proceed in forma pauperis on appeal as to Sean Anthony Ogle. (SH) (Entered: 09/29/2010)
01/10/2011	<u>570</u>	NOTICE OF FILING OF TRANSCRIPT of Videoconference Proceeding held October 21 and 22, 2008, as to Sean Anthony Ogle (copy mailed to Lynda Stone) (se) (Entered: 01/10/2011)
01/10/2011	<u>571</u>	TRANSCRIPT of Videoconference Proceeding as to Sean Anthony Ogle held on October 21 & 22, 2008, before Judge Miller. Court Reporter/Transcriber Sandie Ehrmantraut, Telephone number 701-530-2337. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Request Redaction due 1/18/2011. Redaction Request due 1/31/2011. Redacted Transcript Deadline set for 2/10/2011. Release of Transcript Restriction set for 4/11/2011. (se) (Entered: 01/10/2011)
05/12/2011	<u>578</u>	MOTION to Vacate under 28 U.S.C. 2255 by Sean Anthony Ogle. (Attachments: # <u>1</u> Mailing Envelope)(lh) Civil case 3:11-cv-00045-RRE opened. Modified on 5/13/2011: page 14 was omitted from 2255 Petition when it was submitted for filing by Sean Ogle (lf). (Entered: 05/12/2011)
07/08/2011	<u>581</u>	MEMORANDUM in Support by Sean Anthony Ogle re <u>578</u> MOTION to Vacate under 28 U.S.C. 2255 (Attachments: # <u>1</u> Mailing Envelope)(lh) (Entered: 07/08/2011)
07/08/2011	<u>582</u>	AFFIDAVIT (Sworn Declaration) of Sean Anthony Ogle re <u>581</u> MEMORANDUM in Support filed by Sean Anthony Ogle, <u>578</u> MOTION to Vacate under 28 U.S.C. 2255 filed by Sean Anthony Ogle (lh) (Entered: 07/08/2011)
07/08/2011	<u>583</u>	MOTION to Appoint Counsel by Sean Anthony Ogle. See request within document at <u>581</u> . (lh) (Entered: 07/08/2011)

09/06/2011	<u>586</u>	NOTICE OF RETURN OF EXHIBITS as to Sean Anthony Ogle (lcar) (Entered: 09/06/2011)
09/12/2011	<u>588</u>	ORDER by Chief Judge Ralph R. Erickson denying <u>583</u> Motion to Appoint Counsel and <u>578</u> Denying, In Part, and Directing, In Part, the United States to Respond to Motion under 28 U.S.C. 2255 as to Sean Anthony Ogle (6). (SH) (Entered: 09/12/2011)
10/17/2011	<u>594</u>	MOTION for Extension of Time to File Response/Reply as to <u>578</u> MOTION to Vacate under 28 U.S.C. 2255, <u>588</u> Order on Motion to Appoint Counsel by USA as to Sean Anthony Ogle. (Shasky, Brett) (Entered: 10/17/2011)
10/18/2011	<u>595</u>	ORDER (TEXT ONLY) by Chief Judge Ralph R. Erickson granting <u>594</u> Motion for Extension of Time to File Response/Reply as to Sean Anthony Ogle (6). The United States' response is due on November 1, 2011. (SH) (Entered: 10/18/2011)
10/18/2011		Set Deadline in case as to Sean Anthony Ogle re <u>578</u> MOTION to Vacate under 28 U.S.C. 2255. Per text only Order at Doc #595, USA response due by 11/1/2011. (lc) (Entered: 10/23/2011)
11/01/2011	<u>596</u>	RESPONSE to Motion by USA as to Sean Anthony Ogle re <u>578</u> MOTION to Vacate under 28 U.S.C. 2255 (Attachments: # <u>1</u> Exhibit Affidavit of John Goff, # <u>2</u> Exhibit Letter to Ogle from John Goff)(Shasky, Brett) (Entered: 11/01/2011)
12/08/2011	<u>607</u>	MOTION for Extension of Time to File Response/Reply by Sean Anthony Ogle as to <u>596</u> Response to Motion (Attachments: # <u>1</u> Mailing Envelope)(td) (Entered: 12/09/2011)
12/13/2011	<u>608</u>	ORDER by Chief Judge Ralph R. Erickson granting <u>607</u> Motion for Extension of Time to File Reply Brief as to Sean Anthony Ogle (6). Ogle shall have until January 13, 2012, to file his brief. (SH) Modified on 12/14/2011 to correct the year on the date of January 13. The text only needed updating. (jo). (Entered: 12/13/2011)
12/13/2011		Reset Deadlines re <u>578</u> MOTION to Vacate under 28 U.S.C. 2255 as to Sean Anthony Ogle. Reply brief due by 1/13/2012. (SH) (Entered: 12/13/2011)
03/23/2012	<u>613</u>	RECEIPT for Return of Court Exhibits (am) (Entered: 03/26/2012)
03/23/2012	<u>614</u>	RECEIPT for Government's Return of Exhibits (am) (Entered: 03/26/2012)
05/29/2012	<u>623</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Status Conference set for 5/30/2012 at 9:45 AM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (defendant to appear via phone - Court to initiate the call) (sg) (Entered: 05/29/2012)
05/30/2012	<u>624</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Status Conference as to Sean Anthony Ogle held on 5/30/2012 (DR #120530-001.) (sg) (Entered: 05/31/2012)

05/31/2012	<u>625</u>	ORDER by Chief Judge Ralph R. Erickson appointing Federal Public Defender to represent Sean Ogle at the evidentiary hearing on motion at <u>578</u> and directing the Marshals to transport Ogle to the hearing. Evidentiary Hearing set for 10/26/2012 at 09:00 AM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson. (SH) (Entered: 05/31/2012)
05/31/2012		Attorney update in case as to Sean Anthony Ogle. Attorney Richard Henderson (FPD) for Sean Anthony Ogle added per Order at <u>625</u> . (am) (Entered: 05/31/2012)
10/17/2012	<u>632</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Evidentiary Hearing REset for 12/21/2012 at 9:00 AM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (previously set for 10/26/12)(sg) (Entered: 10/17/2012)
11/20/2012	<u>635</u>	NOTICE OF FILING OF TRANSCRIPT (Pretrial Conference) as to Sean Anthony Ogle (kk) (Entered: 11/20/2012)
11/20/2012	<u>636</u>	TRANSCRIPT of Pretrial Conference as to Sean Anthony Ogle held on January 12, 2010, before Judge Ralph R. Erickson. Court Reporter/Transcriber Kelly A. Kroke, Telephone number 701-297-7000. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Request Redaction due 11/27/2012. Redaction Request due 12/11/2012. Redacted Transcript Deadline set for 12/21/2012. Release of Transcript Restriction set for 2/19/2013. (kk) (Entered: 11/20/2012)
11/20/2012	<u>637</u>	NOTICE OF FILING OF PARTIAL TRANSCRIPT (Jury Trial - January 13, 2010, as to Sean Anthony Ogle (kk) (Entered: 11/20/2012)
11/20/2012	<u>638</u>	TRANSCRIPT (Partial) of Jury Trial as to Sean Anthony Ogle held on January 13, 2010, before Judge Ralph R. Erickson. Court Reporter/Transcriber Kelly A. Kroke, Telephone number 701-297-7000. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Request Redaction due 11/27/2012. Redaction Request due 12/11/2012. Redacted Transcript Deadline set for 12/21/2012. Release of Transcript Restriction set for 2/19/2013. (kk) (Entered: 11/20/2012)
12/17/2012	<u>640</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Evidentiary Hearing REset for 2/27/2012 at 9:00 AM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (previously set for 12/21/12)(sg) (Entered: 12/17/2012)
12/17/2012	<u>641</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Evidentiary Hearing REset for 2/27/2013 at 9:00 AM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (previously set for 2/27/12)(sg) (Entered: 12/17/2012)
02/21/2013	<u>645</u>	NOTICE OF HEARING as to Sean Anthony Ogle: Evidentiary Hearing RESET for 3/26/2013 at 01:00 PM in Fargo Courtroom 1 before Chief Judge Ralph R. Erickson (previously set for 2/27/2013). (SH) (Entered: 02/21/2013)

03/26/2013	<u>646</u>	Minute Entry for proceedings held before Chief Judge Ralph R. Erickson: Evidentiary Hearing as to Sean Anthony Ogle held on 3/26/2013. (Court Reporter KK) (lc) (Additional attachment(s) added on 3/27/2013: # <u>1</u> *SEALED* Government Exhibit 2 - Copy of Proposed Plea Agreement dated 12/16/08, # <u>2</u> *SEALED* Government Exhibit 3 - Copy of Proposed Plea Agreement dated 1/12/10, # <u>3</u> *SEALED* Defendant Exhibit 101 - Ogle Psychological Report. NEF regenerated.) (lc). Modified on 3/27/2013: Exhibits filed under seal per direction of Chambers. (lc) (Entered: 03/27/2013)
04/10/2013	<u>647</u>	NOTICE OF FILING OF TRANSCRIPT (Evidentiary Hearing) as to Sean Anthony Ogle (kk) (Entered: 04/10/2013)
04/10/2013	<u>648</u>	TRANSCRIPT of Evidentiary Hearing as to Sean Anthony Ogle held on March 26, 2013, before Judge Ralph R. Erickson. Court Reporter/Transcriber Kelly A. Kroke, Telephone number 701-297-7000. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Request Redaction due 4/17/2013. Redaction Request due 5/1/2013. Redacted Transcript Deadline set for 5/13/2013. Release of Transcript Restriction set for 7/9/2013. (kk) (Entered: 04/10/2013)
04/19/2013	<u>649</u>	MOTION for Extension of Time to File <i>Brief</i> by Sean Anthony Ogle. (Henderson, Richard) (Entered: 04/19/2013)
04/19/2013	<u>650</u>	ORDER by Chief Judge Ralph R. Erickson granting <u>649</u> Motion for Extension of Time to File as to Sean Anthony Ogle (6). Ogle's brief due by April 29, 2013. The United States' brief due by May 13, 2013. Ogle's reply due by May 20, 2013. (SH) (Entered: 04/19/2013)
04/26/2013	<u>651</u>	MEMORANDUM in Support by Sean Anthony Ogle re <u>578</u> MOTION to Vacate under 28 U.S.C. 2255 (Henderson, Richard) (Entered: 04/26/2013)
05/13/2013	<u>652</u>	OBJECTION re <u>651</u> MEMORANDUM in Support by USA (Shasky, Brett) (Entered: 05/13/2013)
05/20/2013	<u>653</u>	BRIEF <i>Reply to United States' Objection to Motion to Vacate Sentence</i> by Sean Anthony Ogle <u>652</u> Objection filed by USA (Henderson, Richard) (Entered: 05/20/2013)
08/06/2013	<u>654</u>	ORDER by Chief Judge Ralph R. Erickson denying <u>578</u> Motion to Vacate (2255) as to Sean Anthony Ogle (6). (SH) Civil Case 3:11-cv-00045-RRE closed. (Entered: 08/06/2013)
08/07/2013	<u>655</u>	JUDGMENT on 2255 Motion re: <u>654</u> Order on Motion to Vacate (2255). (as) (Entered: 08/07/2013)
09/03/2013	<u>659</u>	NOTICE OF APPEAL to US Court of Appeals by Sean Anthony Ogle re <u>655</u> Judgment on 2255 Motion, <u>588</u> Order on Motion to Appoint Counsel (Filing fee: IFP) (as) (Entered: 09/03/2013)
09/03/2013		Appeal Remark as to Sean Anthony Ogle re <u>659</u> Notice of Appeal : 3 sealed copies of Presentence Investigation Report mailed to Court of Appeals, St. Paul

		Office. (as) (Entered: 09/03/2013)
09/03/2013	<u>660</u>	Transmittal of Notice of Appeal Supplement to 8th Circuit Court of Appeals as to Sean Anthony Ogle re <u>659</u> Notice of Appeal (as) (Entered: 09/03/2013)
09/05/2013		USCA Case Number 13-2960 for <u>659</u> Notice of Appeal as to Sean Anthony Ogle (as) (Entered: 09/05/2013)
02/07/2014	<u>671</u>	JUDGMENT of USCA as to Sean Anthony Ogle re <u>659</u> Notice of Appeal: Application for certificate of appealability is denied. Appeal is dismissed. (lc) (Entered: 02/07/2014)
05/06/2014	<u>672</u>	MANDATE of USCA as to Sean Anthony Ogle re <u>659</u> Notice of Appeal (as) (Entered: 05/06/2014)
01/17/2017	<u>755</u>	Executive Grant of Clemency from President Barack Obama as to Sean Anthony Ogle to commute the total sentence of imprisonment to a term of 168 months imprisonment, leaving intact and in effect the 10-year term of supervised release with all its conditions and all other components of the sentence. I also direct the Bureau of Prisons to make available to the said Sean Anthony Ogle, the Residential Drug Abuse Program (RDAP), or future equivalent program, at an appropriate time before his sentence expires. Further, I condition this grant of commutation to the said Sean Anthony Ogle on him enrolling in RDAP by written agreement, as evidenced by his signing, within 14 days of his receipt of a certified copy of this document, a receipt verifying his acceptance of the commutation granted with all of its conditions, including enrollment in RDAP. (td) (Entered: 01/19/2017)